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NO. 9771 P. 2

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Debra L. Hale

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cubukcu et al.

Serial No.: 10/612,330

Filed: July 2, 2003

For: **CERAMIC COMPOSITE
ELECTROLYTIC DEVICE AND
METHOD**

) Examiner:

) Art Unit: 1746

) Attorney Docket No.: 21980/04012

) Customer No. 24024

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the restriction requirement of June 14, 2006, applicants elect Group II drawn to claims 4-33, with traverse.

MPEP § 806.01 makes clear that it is the claimed subject matter which must be compared in determining if a restriction is warranted. Here, the examiner's explanation of why Groups I and II are drawn to distinct inventions appears to disregard the language of claims 1 and 4, respectively. Claim 4 merely refers to "applying" a ceramic material, which is generic to all of the particular coating techniques cited by the examiner. Thus, there is no basis for asserting that claims 1 and 4 are distinct from one another.

Since claims 5-33 depend on claim 4, this restriction is improper as it relates to these claims as well. See, MPEP § 806.04 & 37 C.F.R. §1.146. (Restriction between a reasonable number of species claims linked by an allowable generic claim is improper.)

(JEM1838.DOC:1)

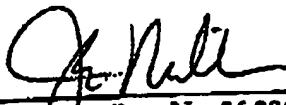
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CALFEE HALTER GRISWOLD

NO. 9771 P. 3

Respectfully submitted

Date: 6/26/06



John B. Miller, Reg. No. 26,206
(216) 622-8579

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